

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Michelle MacDonald Shimota, *et al.*,

Case No. 15-cv-1590-JRT-KMM

Plaintiffs,

v.

Bob Wegner, *et al.*,

Defendants.

**AFFIDAVIT OF DEPUTY
TIMOTHY GONDER IN SUPPORT OF
COUNTY DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT**

TIMOTHY GONDER, having first been duly sworn under oath, states as follows:

1. I am employed with defendant Dakota County as a Deputy Sheriff. I submit this Affidavit in support of the County Defendants' Motion for Summary Judgment.

2. I recall that late in the evening of September 12, 2013, a mattress was removed from the negative-pressure room in which plaintiff Michelle MacDonald Shimota (hereinafter, "Ms. MacDonald") was housed at the Jail. One of my colleagues removed the mattress.

3. The mattress was not removed from Ms. MacDonald's negative-pressure room to punish her. Rather, the mattress was removed because she had crawled underneath it. I personally observed Ms. MacDonald underneath the mattress.

4. I also recall that toilet paper was removed from Ms. MacDonald's negative-pressure room late in the evening of September 12, 2013. I do not recall who removed the toilet paper, but I know it was not removed to punish Ms. MacDonald. Rather, the toilet paper was removed because Ms. MacDonald had used it to wrap herself from head-to-toe, like a mummy. I personally observed Ms. MacDonald wrapped in toilet paper.

5. I understand that Ms. MacDonald claims her gold cross pendant was misplaced when her personal property was inventoried in a courtroom bailiff station on September 12, 2013. I have never seen or had possession of Ms. MacDonald's pendant, and I certainly never lost or stole it.

Further your affiant sayeth not.



Deputy Timothy Gonder

Subscribed and sworn to before
this 20 day of 2, 2017


Notary Public